

Remarks

In the Office Action, the Examiner has rejected claims 1 – 5 and 13 under 35 U.S.C. § 102(b) as being anticipated by Gossen. The Examiner has indicated that claims 6 – 12 are allowable.

The Applicant would like to thank the Examiner for his telephone conference on July 7, 2010. During the interview, counsel for the Applicant stated that it was Applicant's belief that the prior art cited in the current Office Action did not anticipate the claims as written. Nonetheless, Applicant's counsel suggested some possible amendments to claims 1 – 5 and 13 in order to further claim around the cited art. The Examiner indicated that all the proposed amendments would likely require a new search.

Therefore, Applicant has canceled claims 1 – 5 and 13. Applicant continues to believe that the cited art does not anticipate claims 1 – 5 and 13, and Applicant's cancellation herein does not waive its right to re-file claims 1 – 5 and 13 in a subsequent continuation and argue their merits at that time. Claims 6 – 12 have been indicated to be allowable, and Applicant believes the application should now be allowed to issue.

Conclusion

It is believed that Applicant has addressed all of the outstanding matters and it is requested that this application be granted a Notice of Allowance at the earliest possible date. Please contact the undersigned attorney if there are any questions.

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